

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLN.NO. 1948 OF 2007

Rajaram Sakharam Patil ..Applicant

Vs.

State of Maharashtra ..Respondents

...
Mr.Shreemant V.Gavand Advocate for Applicant
Mr.K.V.Saste A.P.P. for the State
Mr.Rahul Thakur Advocate for Complainant
...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : JUNE 26, 2007

P.C.

1. Heard the learned advocate for the applicant,
the learned A.P.P. for the State and the learned
advocate for the complainant.

2. The applicant is seeking anticipatory bail in
C.R.No.I-198 of 2007 of Panvel Town Police Station.
The said case is under Sections 498-A and 304-B of
IPC.

3. The applicant is father in law of deceased

Leena. It is an admitted fact that since about July, 2006, Leena was residing separately with her husband and at that time, the applicant and his wife and another son were residing separately.

4. It is the case of the complainant that when his daughter Leena and her husband were residing separately, the complainant along with another person went to their house and stated to Ketan who is husband of Leena, that Leena has been harassed a lot and hence, they should have a meeting of four persons on either side and decide what is to be done. Thereafter, meeting came to be held and in the said meeting, Ketan and Leena gave undertaking that hereafter they would reside happily.

5. It is the case of the complainant that after Leena and her husband started to reside separately, the applicant along with his wife used to visit the house where Leena and her husband resided and they used to harass Leena. The complainant has stated that Ketan who is husband of Leena, said that they wanted to purchase a flat and hence, the accused persons asked Leena to get 5 lakhs from her father for purchasing the flat. The complainant has stated that on account of this, on 16.5.2007, his

daughter Leena committed suicide.

6. There is no material to show that on the day of the incident the applicant had come to the matrimonial house where Leena and her husband Ketan were residing. So also there is no material that the applicant had come to the said house, a day or so prior to the incident and did any act whereby Leena was instigated to commit suicide. In such case, committing of suicide by Leena on 16.5.2007 cannot be said to be directly attributable to any proximate act on the part of the present applicant. This is so because at the relevant time, only Leena and her husband Ketan were residing in the matrimonial house. Moreover, the applicant is over 70 years of age. Looking to all these facts, I am inclined to grant anticipatory bail to the applicant.

7. In the event of arrest, the applicant-Rajaram Sakharam Patil to be released on bail in the sum of Rs.25,000/- (Rs.twenty five thousand only) with one or two sureties to make up the said amount in C.R.No. I-198 of 2007 of Panvel Town Police Station. The applicant shall report to the concerned Police Station from 29.6.2007 for a

period of 15 days from 10 a.m. to 2 p.m. and thereafter once in a month till the conclusion of trial.

8. Application is disposed of.

[SMT. V.K.TAHILRAMANI, J.]